THE REGULAR WEEKLY MEETING OF THE CITY COUNCIL WAS HELD IN THE COUNCIL CHAMBER, CITY HALL, ON WEDNESDAY, APRIL 6, 1936, AT 4:30 O'CLOCK P.M., WITH MAYOR DOUGLAS PRESIDING AND PRESENT: COUNCILMEN ALBEE, BAXTER, BOYD, DURHAM, HUDSON, HUNTY, SIDES, TIPTON AND WILKINSON.

ABSENT: COUNCILMEN HOVIS AND NANCE.

APPROVAL OF MINUTES

ON MOTION OF COUNCILMAN ALBEE, SECONDED BY COUNCILMAN HUNTY, THE MINUTES OF THE MEETING OF APRIL 1ST. WERE UNANIMOUSLY APPROVED AS READ.

LIABILITY INSURANCE FOR TAXICABS.

MR. W. S. CROFT, OWNER OF THE RED TOP TAXICAB COMPANY, AGAIN APPEARED BEFORE THE COUNCIL WITH REGARD TO HIS INABILITY TO SECURE LIABILITY INSURANCE ON HIS CABS, STATING THAT HE HAD MADE EVERY EFFORT TO DO SO, BUT THAT THE ONLY COMPANY WISHING TO TAKE HIM WOULD NOT LICENSED TO DO BUSINESS IN THE STATE OF NORTH CAROLINA, ACCORDING TO INFORMATION RECEIVED FROM MR. DAN BONEY, INSURANCE COMMISSIONER. MR. CROFT ASKED THE COUNCIL TO CONSIDER HIS SITUATION IN ANY EFFORT TO GIVE HIM SOME RELIEF BEFORE HE IS COMPelled TO GO OUT OF BUSINESS.

A MR. HINSON, OPERATOR OF ONE CAB, STATED HE WOULD BE WILLING TO PAY A CERTAIN AMOUNT EACH WEEK INTO A FUND, UP TO THE SUM OF $200.00, IF SOMETHING COULD BE WORKED OUT ALONG THAT LINE.

CITY MANAGER MARSHALL ADVISED THE COUNCIL THAT MR. H. L. STRICKLAND, AN ATTORNEY, REPRESENTING THE CAB DRIVERS, HAD PROPOSED TO WORK UP A PROPOSITION IN LEGAL MANNER FOR THE COUNCIL'S CONSIDERATION WHEREBY THE CAB OPERATORS COULD INCORPORATE AND PAY IN A CERTAIN AMOUNT EACH WEEK AS INDEMNITY, DESIGNATING A TRUST OFFICER AND ADJUSTER, AND THAT MR. STRICKLAND WILL SUBMIT SAME WHEN READY.

CITY ATTORNEY BOYD SUGGESTED THAT HE AND MR. SCARBROUGH WOULD BE WILLING TO TRY AND WORK OUT AN AMENDMENT TO THE PRESENT ORDINANCE REQUIRING LIABILITY INSURANCE FOR TAXICABS WHICH WOULD TAKE THE PLACE OF INSURANCE.

THE MAYOR STATED THE ONLY COURSE OPEN TO THE COUNCIL WOULD BE TO REPEAL THE PRESENT ORDINANCE BUT NO MOTION WAS MADE TO THAT EFFECT AND THE COUNCIL PROCEEDED WITH OTHER BUSINESS.
REPORT OF CITY MANAGER

RENT OF CITY-OWNED PROPERTY TO HIGHWAY COMMISSION FOR ROCK QUARRY.

On motion of Councilman Hudson, seconded by Councilman Albee, the Council unanimously authorized the execution of contract by the Mayor and Clerk with the State Highway and Public Works Commission for the lease of 3.42 acres of City property to the Highway Commission for quarrying purposes for a period of 5 years, the Commission to pay the City of Charlotte in crushed stone to a value of $962.50, at the rate of $1.75 per ton for crusher run stone, or $2.00 per ton for graded stone.

RESOLUTION AND RIGHT-OF-WAY AGREEMENT WITH STATE HIGHWAY AND PUBLIC WORKS COMMISSION - PROJECT NO. 6489, S.A.L. CROSSING ON NORTH GRAHAM STREET.

The following resolution was offered by Councilman Wilkinson and seconded by Councilman Hudson, and upon being put to a vote was unanimously carried:

WHEREAS, that improvement designated by the State Highway and Public Works Commission as Project #6489, is considered to be the most necessary improvement in the highway system in the corporate limits of the said municipality, for the promotion of public safety and convenience;

"Now, therefore, be it resolved that the above Project #6489 be and is hereby formally approved by the City Council of the said municipality, and that the Mayor and Clerk of the said municipality be and are hereby empowered to sign and execute the required agreements between the said municipality and the State Highway and Public Works Commission."

REPAIRS TO BRIDGES AUTHORIZED.

The City Manager reported that the recent excessive rain had damaged or destroyed several bridges over streams within the City and damaged the sewerage outfall lines to some extent. Estimate of the approximate cost of repairing these damages is $5,840.00. Mr. Marshall recommended that he be authorized to proceed with repairs at the earliest possible time and that the cost thereof be charged to the existing respective bond funds for sewerage and street improvements if the City Attorneys rule that it is in order to charge the bridge repairs to the Street Improvement Bond Issue, and if not, then to the Contingent Fund.

Councilman Albee moved that these repairs be done immediately and if legal to be charged to the Street Improvement Bond Fund, if not, to the Contingent Fund. Motion seconded by Councilman Boyd and unanimously carried.
ADDITION TO WATER RATE SCHEDULE.

The City Manager advised that the present water rates of the City of Charlotte do not provide for any reduction for quantity users, stating that the rate of 7-1/2 cents per 100 cubic feet applies to all over 70,000 cubic feet, and that after figuring carefully with the Superintendent of Water Works, he was of the opinion that the following should be added to the present rate schedule:

First 70,000 cubic feet No Change
Next 30,000 " 6 cents
Next 100,000 " 5 cents
All over 200,000 " 4 cents

After discussion of these rates by the Council, Councilman Huntley moved that this schedule go into effect at once. Motion seconded by Councilman Wilkinson and unanimously carried.

FREE WATER SERVICE ON SEWING-ROOM PROJECTS, W.P.A.

At the request of Mrs. Hannah J. Withers, Supervisor Mecklenburg County Sewing Room Projects, of the W.P.A., for free water service for 12½ South Tryon Street, and also for increased allowance for water service at 514 East Trade Street, 1008 East Belmont Avenue, and 426 East 9th Street, Councilman Huntley moved that they be allowed free water service at these locations for 90 days, at a maximum of $2.00 per month for each location. Motion seconded by Councilman Wilkinson and unanimously carried.

CONTRACT WITH DUKE POWER CO. FOR SIGNAL LIGHT POWER.

On motion of Councilman Boyd, seconded by Councilman Hudson and unanimously carried, the Mayor and Clerk were authorized to sign contract with the Duke Power Company for furnishing electric current to the City of Charlotte for electric traffic signal lights. The City Manager advised that this contract was approximately 33-1/3 per cent lower than the contract previously submitted and will result in a yearly saving over the present system of signal lights of approximately $1,100.00.

TELEGRAM FROM MAYOR HARRISON OF GREENSBORO RELATIVE TO CITY OF CHARLOTTE OFFER OF ASSISTANCE.

The City Manager read a telegram received from Mayor Roger W. Harrison, of Greensboro, thanking the City of Charlotte for its offer of assistance in their storm catastrophe.

PURCHASE OF $1,000 CITY OF GREENSBORO BOND FOR CEMETARY FUND.

Councilman Sides moved that the City purchase one $1,000 City of Greensboro Water Refunding Bond, to yield 3-9/10 per cent, for the Cemetery Fund, subject to the approval of the
APRIL 8, 1936
PAGE 284.

LOCAL GOVERNMENT COMMISSION, WHICH PURCHASE WAS RECOMMENDED BY THE CITY TREASURER. MOTION SECONDED BY COUNCILMAN TIPTON AND UNANIMOUSLY CARRIED.

SCHOOL NOTE RENEWAL.

COUNCILMAN HUDSON INTRODUCED THE FOLLOWING RESOLUTION AND THE SAME WAS READ:

RESOLUTION AUTHORIZING THE RENEWAL OF NOTE FOR $6,000.00 AT THE AMERICAN TRUST COMPANY.

WHEREAS, THE AMERICAN TRUST COMPANY, CHARLOTTE, N. C., HOLDS A NOTE OF THE CITY OF CHARLOTTE, DATED JANUARY 13, 1936, FOR $15,000.00, SAID NOTE MATURING APRIL 13, 1936;

WHEREAS, THE AMERICAN TRUST COMPANY HAS SIGNIFIED ITS WILLINGNESS TO EXTEND AND RENEW FOR NINETY-ONE DAYS THE AMOUNT OF $6,000.00 THEREOF, PROVIDED THE CITY PAY THE SUM OF $9,000.00 AND INTEREST ON MATURED INDEBTEDNESS, WHICH SAID INTENTION ON THE PART OF THE AMERICAN TRUST COMPANY IS SET FORTH IN A LETTER DATED APRIL 2, 1936, READING AS FOLLOWS:

AMERICAN TRUST COMPANY
CHARLOTTE, N.C.

APRIL 2, 1936

MR. J. B. MARSHALL, CITY MANAGER,
CHARLOTTE, N. C.

DEAR MR. MARSHALL:

REFFERING TO CITY OF CHARLOTTE SCHOOL NOTE FOR $15,000.00, DUE WITH US ON APRIL 13TH, WE SHALL BE GLAD TO HANDLE A NEW NOTE IN PART SETTLEMENT OF THIS OBLIGATION IN THE AMOUNT OF $6,000.00, RUNNING FOR NINETY-ONE DAYS AND DRAWING INTEREST AT 2%.

YOURS VERY TRULY,
SIGNED: T. E. HEMBY,
EXECUTIVE VICE-PRESIDENT.

TEH-J.

NOW, THEREFORE, BE IT RESOLVED THAT THE COUNCIL OF THE CITY OF CHARLOTTE, IN REGULAR SESSION CONVENEED; THIS THE 8TH. DAY OF APRIL, 1936, HEREBY AUTHORIZES THE CITY TREASURER TO PAY THE SUM OF $9,000.00 AND INTEREST ON THE MATURED INDEBTEDNESS TO THE AMERICAN TRUST COMPANY AND HEREBY AUTHORIZE THE MAYOR AND CITY CLERK TO EXECUTE AND DELIVER TO THE AMERICAN TRUST COMPANY A RENEWAL NOTE OF THE CITY OF CHARLOTTE, DATED APRIL 13, 1936, DUE AND PAYABLE NINETY-ONE DAYS FROM DATE, IN THE SUM OF $6,000.00, SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT COMMISSION, RALEIGH, NORTH CAROLINA.
UPON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCILMAN ALBEA AND UNANIMOUSLY CARRIED, THE RULES WERE SUSPENDED AND THE RESOLUTION AUTHORIZING $6,000.00 RENEWAL REVENUE ANTICIPATION NOTE WAS READ AND PASSED UPON ITS FIRST READING. THE VOTES CAST WERE AS FOLLOWS:

COUNCILMAN ALBEA
COUNCILMAN BAXTER
COUNCILMAN BOYD
COUNCILMAN DURHAM
COUNCILMAN HUDSON
COUNCILMAN HUNTLEY
COUNCILMAN SIDES
COUNCILMAN TIPTON
COUNCILMAN WILKINSON

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UPON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCILMAN ALBEA AND UNANIMOUSLY CARRIED, THE RESOLUTION AUTHORIZING $6,000.00 RENEWAL REVENUE ANTICIPATION NOTE WAS READ AND PASSED UPON ITS SECOND READING. THE VOTES CAST UPON ITS SECOND READING WERE AS FOLLOWS:

COUNCILMAN ALBEA
COUNCILMAN BAXTER
COUNCILMAN BOYD
COUNCILMAN DURHAM
COUNCILMAN HUDSON
COUNCILMAN HUNTLEY
COUNCILMAN SIDES
COUNCILMAN TIPTON
COUNCILMAN WILKINSON

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UPON MOTION OF COUNCILMAN HUDSON, SECONDED BY COUNCILMAN ALBEA AND UNANIMOUSLY CARRIED, THE RESOLUTION AUTHORIZING $6,000.00 RENEWAL REVENUE ANTICIPATION NOTE WAS READ AND PASSED UPON ITS THIRD AND FINAL READING. THE VOTES CAST UPON SAID THIRD AND FINAL READING WERE AS FOLLOWS:

COUNCILMAN ALBEA
COUNCILMAN BAXTER
COUNCILMAN BOYD
COUNCILMAN DURHAM
COUNCILMAN HUDSON
COUNCILMAN HUNTLEY
COUNCILMAN SIDES
COUNCILMAN TIPTON
COUNCILMAN WILKINSON

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APPROVED AS TO FORM:

Scarborough & Boyd
CITY ATTORNEYS
OLD AUDITORIUM PROPERTY.

The City Manager advised that the sale of the Old Auditorium Property has been advertised for May 4th, and that the question had been raised as to whether or not the City would bid the full amount of this debt, or bid the property in at the best price obtainable and call on the creditors for the difference.

After discussion, the matter was held in abeyance to give more time to go into it more thoroughly.

CONTRACT FOR REPAIRS TO EAST MOREHEAD STREET BRIDGE.

On motion of Councilman Boyd, seconded by Councilman Sides and unanimously carried, the Mayor and Clerk were authorized to sign contract with the Duke Power Company and the Southern Railway Company for repairs to bridge on East Morehead Street. This contract states that the City's share of this expense shall not exceed $900.00.

LEAVE OF ABSENCE GRANTED TO CITY RECORDER B. S. WHITING.

A letter was read by the City Manager from Judge B. S. Whiting, asking for a 60-day leave of absence as Recorder of the City of Charlotte, and upon motion of Councilman Boyd, seconded by Councilman Durham, this leave was granted by unanimous vote.

RESOLUTION RELATIVE TO DOCKET 7086 - EXTENSION OF TIME TO BLYTHE BROS. ON P.W.A. CONTRACT.

The City Manager advised that the Public Works Administration has called upon the City for confirmation that the contract awarded to Blythe Brothers Co. on Docket No. 7086 had run over the time limit and that this extension of time had been granted by the City of Charlotte.

Whereupon, the following Resolution was unanimously adopted on motion of Councilman Boyd, seconded by Councilman Wilkinson.

RESOLUTION

Whereas, the City of Charlotte awarded contract for the construction of Street Improvements to Blythe Brothers Company on August 22, 1934; said contract being designated as P.W.A. Docket No. 7086, and
WHEREAS, SAID CONTRACT PROVIDED THAT THE WORK WAS TO BE COMPLETED IN ONE HUNDRED AND TWENTY (120) CALENDAR DAYS AND CONSTRUCTION STARTED ON THE JOB SEPTEMBER 29, 1934; AND

WHEREAS, ON NOVEMBER 28, 1934 A RESOLUTION WAS ADOPTED BY THE CITY COUNCIL TO ALLOW SIXTY (60) ADDITIONAL DAYS TO BLYTHE BROTHERS COMPANY DUE TO THE CITY REQUIRING THE CONTRACTOR TO DISCONTINUE WORK IN THE BUSINESS DISTRICT THROUGH THE SHOPPING DAYS PRIOR TO CHRISTMAS, BECAUSE THE WORK WAS INTERFERING WITH THE BUSINESS OF THE MERCHANTS; AND

WHEREAS, THE WORK WAS SUBSTANTIALLY COMPLETED WITHIN THE ONE HUNDRED AND TWENTY (120) DAYS PLUS THE SIXTY (60) DAYS ADDITIONAL, BUT DUE TO CERTAIN SMALL ADJUSTMENTS THE CONTRACT WAS NOT ACCEPTED UNTIL MAY 7, 1935 AND THE OVERTIME DID NOT WORK A HARDSHIP ON THE CITY AND WAS DUE TO THE FACT THAT IT WAS NECESSARY TO KEEP ONE-HALF OF THE STREET OPEN AT ALL TIMES:

NOW, THEREFORE, BE IT RESOLVED THAT THE TIME LIMIT IN THIS CONTRACT BE WAIVED AND THAT THE CONTRACTOR BE ALLOWED THIS ADDITIONAL EXTENSION OF TIME WITHOUT PENALTY.

CEMETERY DEED

ON MOTION OF COUNCILMAN HUNTLEY, SECONDED BY COUNCILMAN BAXTER AND CARRIED, THE FOLLOWING CEMETERY DEED WAS ORDERED RECORDED:

WEST PINEWOOD CEMETERY

ROSE DAVIS, LOT NO. 13 SECTION "D", WEST PINEWOOD $25.00

ADJOURNMENT

MOTION BY COUNCILMAN HUDSON TO ADJOURN, SECONDED BY COUNCILMAN BAXTER AND UNANIMOUSLY CARRIED.

Alice B. McConnell
CITY CLERK